

SUPPORT FOR THE AMENDMENTS

Claims 1 and 12 have been amended.

The amendment to Claims 1 and 12 are supported by the specification at pages 2-35, see for example page 5 last line to page 6, line 15, the exemplary compounds on pages 17-19, and the Examples.

No new matter is believed to have been entered by the present amendments.

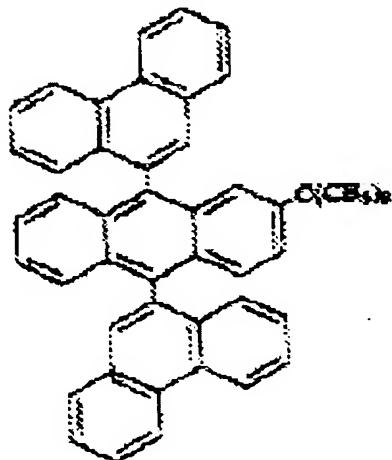
REMARKS

Claims 1-14 are pending in the present application.

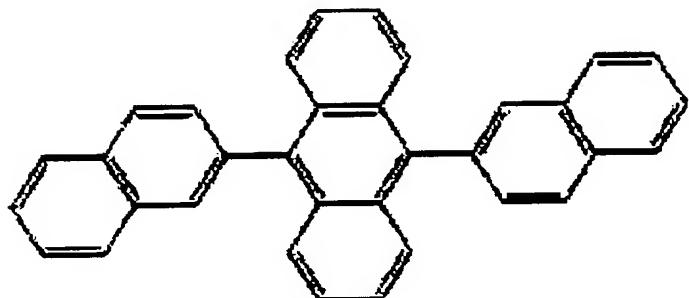
At the outset, Applicants wish to thank Examiner Brooks for the helpful and courteous discussion with their undersigned Representative on December 18, 2009. During this discussion, various amendments and arguments were presented, which are reflected in the amendments and remarks herein. Applicants request reconsideration of the outstanding rejections.

The rejections of (A) Claims 1-6, 12, and 13 under 35 U.S.C. §102(b) over JP 11323323, (B) Claims 1-5, 12, and 13 under 35 U.S.C. §102(a/e) over US 2003/008524 and (C) Claims 1-6, 13, and 14 under 35 U.S.C. §103(a) over JP 11323323 in view of US 2003/008524 is obviated by amendment.

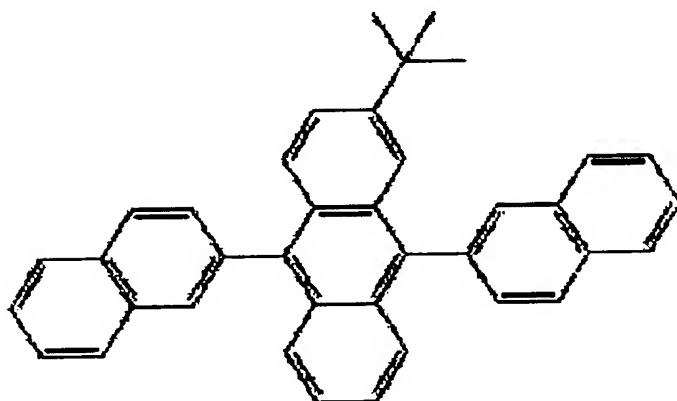
The Examiner specifically points the following compound from JP 11323323:



The Examiner also points to the following compounds in US 2003/008524:



and



The Examiner alleges that these compounds anticipate and/or render obvious the claimed invention. Applicants disagree and submit that the Examiner has not properly understood the scope of compounds claimed.

In the claimed invention, the asymmetric anthracene derivatives are asymmetric due to the presence of different substituent groups at the 9th and 10th positions of the anthracene at the core in the general formula (1) (see, for example, the exemplary compounds appearing at pages 17-19 of the present specification). Neither JP 11323323 nor US 2003/008524 disclose or suggest any compounds within this scope.

To ensure proper understanding and consideration of the claimed invention, Applicants have amended Claims 1 and 12 to:

(a) delete the phrase "except where the groups at 9th and 10th positions of anthracene at the core in the general formula (1) are symmetrical at x-y

axis of symmetry and bond each other” in Claim 1 (and the similar phrase in Claim 12); and

- (b) add the following phrase to Claims 1 and 12: “wherein the substituent groups at the 9th and 10th positions of the anthracene at the core in the general formula (1) are different from each other”.

In view of the foregoing, it is clear that JP 11323323 and US 2003/008524 cannot anticipate and/or render obvious the presently claimed invention.

Withdrawal of these ground of rejection is requested.

Finally, Applicants note that co-pending application No. 10/519,934 was officially abandoned by the Office on October 28, 2009. Accordingly, the provisional obviousness-type double patenting rejection of Claim 1 over Claims 1 and 2 of co-pending application No. 10/519,934 is now moot. Withdrawal of this provisional obviousness-type double patenting rejection is requested.

Further, with respect to the Examiner’s allegation bridging pages 3-4 of the Office Action with respect to traversing any rejection and the caution that “any future submissions that fail to address the merits of the non-statutory double patenting rejection might be deemed to be non-responsive”, the Examiner is reminded that no non-statutory double patenting rejection has been made. At present, the only non-statutory double patenting issue is a provisional rejection.

Application Serial No. 10/583,554
Response to Office Action mailed September 24, 2009

Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

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